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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/834,909	04/16/2001	Urban Lindh	032969-001	5416

21839 7590 04/29/2003

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EXAMINER

AMSBURY, WAYNE P

ART UNIT	PAPER NUMBER
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2171

DATE MAILED: 04/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/834,909

Applicant(s)

LINDH, URBAN

Examiner

Wayne Amsbury

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 16 July 2001 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 6,7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

CLAIMS 1-20 ARE PENDING

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-12 are rejected under 35 U.S.C. 101 because they are non-statutory.

They are general abstractions that fail to fall within the technological arts by being useful in the sense that computer-implemented methods are useful.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-9, 11-12 and 20 are rejected under 35 U.S.C. 102(b) as being anticipated by Unger et al (Unger), US 5,721,910, 24 February 1998.

As to **claim 1**, Unger imports bibliographic (patent) data from a variety of sources that are linked for this purpose to the internal database to which Unger is directed [COL 3 lines 14-17; COL 6 lines 44-56; Stage I of FIG 1 and the text in general]. Grouping and linking into a spreadsheet or small database is the focus of Unger, dealt with specifically with regard to stages II-IV [FIG 1; COL 5 lines 7-36 and elsewhere].

The linked records are displayed, as noted numerous places, specifically at COL 5 lines 31-36].

As to **claims 2-3**, various levels of analysis in Unger are based on the linking together of a given patent and/or patent family [COL 5 lines 10-15 and elsewhere]. As to **claim 4**, see FIG 2-4 and the corresponding discussion. As to **claims 5-6**, Unger directs the system at the specific interests of users [COL 5 lines 37-51 and Stage IV in general].

The elements of claims 7-9, 11-12 and 20 are rejected in the analysis above and these claims are rejected on that basis.

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10 and 13-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Unger et al (Unger), US 5,721,910, 24 February 1998.

As to claim 10, Unger gathers data into spreadsheets [COL 5 lines 7-11], and displays data according to a user's preference selection (as noted in numerous places), but does not specifically state that data is *displayed* as a spreadsheet.

It would have been obvious to one of ordinary skill in the art at the time of the invention to provide such a display because it is efficient to display data in a form in which it has been explicitly organized.; the lack of such a display would tend to defeat the purpose of a spreadsheet, which is bound to its display.

As to claim 13, Unger does not specifically state that an *internal parameter* is used to link groupings of data. However, it is inherent that the mechanism used in Unger is internal, and there are well known parameters that binds together patents and patent families, such as an identifying number of the family parent patent or application. In any case, some common attribute or identifier is required to distinguish members of a group from others.

It would have been obvious to one of ordinary skill in the art at the time of the invention to use an internal parameter as a common link because it provides a means of specifying a common attribute or identifier.

As to **claims 18-19**, patents themselves include priority data and the references cited. The references that cite a patent are retrieved by well known commands in patent search engines, such as **.UREF.** in the patent office search engines.

The elements of claims 14-17 are rejected in the analysis above and these claims are rejected on that basis.

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Amsbury whose telephone number is 703-305-3828. The examiner can normally be reached on M-TH 7-5.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9700.

WPA
April 25, 2003


WAYNE AMSBURY
PRIMARY PATENT EXAMINER